



Atty. Dkt. No. 068540-0102

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Donald HARRIS et al.  
Title: Hybrid Power Supply Module  
Appl. No.: 09/827,173  
Filing Date: April 6, 2001  
Examiner: B. Fischmann  
Art Unit: 3618

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.56**

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

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FEB 27 2003  
**GROUP 3600**

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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### TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

### RELEVANCE OF EACH DOCUMENT

An English language translation of the foreign-language document is attached to document A-2. All documents are in English.

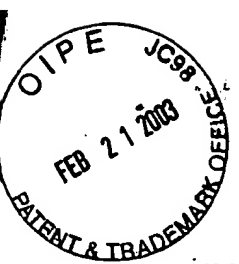
Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

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### FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise



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improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 21, 2003

FOLEY & LARDNER

Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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|--|--|-------------------------------|------------------|
| Substitute for form 1449B/PTO                            |  | <b>Complete if Known</b>      |                  |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |  | <b>Application Number</b>     | 09/827,173       |
| Date Submitted: February 21, 2003                        |  | <b>Filing Date</b>            | 04/06/2001       |
| (use as many sheets as necessary)                        |  | <b>First Named Inventor</b>   | Donald B. Har... |
|  |  | <b>Group Art Unit</b>         | 3618             |
|  |  | <b>Examiner Name</b>          | B. Fischmann     |
|  |  | <b>Attorney Docket Number</b> | 068540-0102      |

Sheet 1 of 1

## U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
|                    |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |   |
|                    | B1                    | 4,961,151            |                                   | Early et al.                                    | 10/02/1990                                       |   |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|-------------------------|---------------------|-----------------------------------|--|--|---|----------------|
|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |  |  |   |                |
|                    | B2                    | DE                      | 196 41 254          | A1                                | Daimler-Benz                                     | 04/16/1998                                       |   | ✓              |

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
|--------------------|-----------------------|--|----------------|
|                    | B3                    | LETTER from Thomas W. Bailey to Foley & Lardner, dated February 20, 2003, 4 pages.   |                |
|                    | B4                    | G.K. JOHNSON et al., "A Fuel Cell Power System for Forklift Trucks," <u>Electric Vehicle Council</u> , EVC Expo '83, October 4-6, 1983, pages 1-6, EVC No. 8305.   |                |
|                    | B5                    | A KAUFMAN et al., "Fuel Cell Power System for Forklift Truck," <u>Fuel Cell Systems Session</u> , pages 3-5.   |                |
|                    | B6                    | E.J. DOWGIALLO, "A Fuel Cell-Battery Power Source for Electric Vehicles," <u>Electric Vehicle Council</u> , Fifth International Electric Vehicle Symposium, pages 1-7, 782407(E).  |                |
|                    | B7                    | J.E. O'SULLIVAN, et al, "Hybrid Power Source for Material Handling Equipment," <u>IECES</u> , 15 Record, pages 229-236.  |                |
|                    | B8                    | "Fuel Cells for Everyone," <u>Siemens AG</u> , February 19, 2003, < <a href="http://w4.siemens.de/Ful/en/archiv/zeitschrift/heft2_98/artikel08/index.html">http://w4.siemens.de/Ful/en/archiv/zeitschrift/heft2_98/artikel08/index.html</a> >                  |                |
|                    | B9                    | HANS RAINER, "Transport applications of H2 on the solar hydrogen plant at Neunburg v. Wald, Germany" <u>Solar-Wasserstoff-Bayern GmbH</u> , Field of Solar Hydrogen Mobile Application No. 22.   |                |
|                    | B10                   | J.J. EARLY et al., "An Integrated Fuel Cell/Battery Power System for a Forklift Truck," <u>Engelhard Industries</u> , Research and Development Dept, Vol. 130, 8, page 331C, Section 376.  |                |

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.